

EXHIBIT A

Virginia Tuition Assistance Grant Program:
Preliminary guidance for phasing out program support for distance learning

The following text from the 2020 Act of Appropriation, Chapter 1289, is effective July 1, 2020. This guidance was updated on August 10, 2020. See new section C below.

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11. Beginning with the fall of 2020, new incoming students enrolled in an online education or distance learning program are not eligible to receive awards from the Tuition Assistance Grant Program. However, existing students enrolled in online education or distance learning programs as of the 2019-20 academic year shall remain eligible to receive awards of up to the 2019-2020 award amounts for as long as the student maintains enrollment in each successive fiscal year, unless granted an exception for cause by SCHEV, until current degree completion or current degree program eligibility limits have otherwise expired, whichever comes first. This requirement shall not be applicable to otherwise place-based students required by the institution to receive distance learning instruction due to on-going COVID-19-related concerns. Council shall develop appropriate guidance for implementation of this requirement, including definitions and administrative procedures.

The definitions and guidance provided below are solely for the administration of phasing-out Tuition Assistance Grant (TAG) support for distance learning students and does not replace or supplant definitions or guidance offered elsewhere in state law or by SCHEV.

I. Definitions: For purposes of this guidance only, the following definitions apply:

Distance learning program of study: A program of study with requirements to complete a chosen degree that are unique to students intending to receive instruction primarily or solely through distance learning.

Distance learning student: Includes any student placed into a distance learning program of study. For purposes of this restriction, the phrase also applies to any student whose enrollment within a single term consists entirely of distance learning courses. Those taking a course that is required by their distance learning program of study to be on-campus would still be considered a distance learning student.

Maintain(s) enrollment: The student enrolls into at least one course per fiscal year at a TAG-eligible institution, whether as a continuing student or as a transfer student.

New incoming student: Any student who was not enrolled into a TAG-eligible institution in the 2019-20 academic year, which includes incoming first-year

students, students previously enrolled at the institution and transfer students, regardless of class level.

Online education or distance learning (distance learning): An option for earning course credit at off-campus locations via cable television, internet, (telecommunication) satellite classes, videotapes, correspondence courses, or other means.

Place-based instruction: Instruction that the institution has determined to be delivered at a specific physical location under the control of the institution.

Place-based student: A student pursuing a degree predominantly by place-based instruction. Such definition includes students whose course selections in a given term include, though not exclusively, distance learning courses.

II. **Examples and application:** In each case below, the student must continue to meet TAG-eligibility criteria and have remaining eligibility for TAG based on lifetime usage limits.

A. Beginning fall 2020, or as soon as an institution has resumed place-based instruction for the student's program:

1. New incoming students and returning students enrolled into place-based instruction retain TAG eligibility at the prevailing award amount if the student continues to be primarily enrolled into place-based instruction.
2. Returning students enrolled as a distance learning student in 2019-20 at a TAG-eligible institution retain TAG eligibility at no more than the 2019-20 award amounts if the student maintains enrollment as a distance learning student. Eligibility as a distance learning student ceases upon failure to maintain enrollment unless granted an exception for cause by SCHEV. Such exceptions will only be granted for military or health-related situation or circumstances otherwise beyond the control of the student. Nothing in the restriction prohibits such student from receiving TAG as a place-based student upon transitioning to place-based instruction.
3. Students that were previously place-based who subsequently enroll into a distance learning program of study are not eligible for TAG.
4. Place-based students whose enrollment within a single term consists entirely of distance learning courses are not eligible for TAG for that term.
5. Place-based students are eligible for TAG at the prevailing award amount if partially enrolled into distance learning courses. Partial enrollment into distance learning courses does not disqualify the student and these courses may count towards the full-time enrollment requirement.

6. Former distance learning students who subsequently enroll into place-based instruction regain TAG eligibility at the prevailing projected award amount for as long as they remain in place-based instruction.
 7. Former distance learning students who were not enrolled in 2019-20 into a TAG-eligible institution who then return to distance learning instruction are not grandfathered and are no longer eligible for TAG as a distance learning student but may regain TAG eligibility upon transitioning to place-based instruction.
 8. New students enrolled into a distance-learning program of study are not eligible for TAG.
- B. Special rules if the COVID-19 crisis results in an institution providing only distance learning education for fall 2020 or thereafter:
1. New incoming students and returning students enrolled into place-based instruction retain TAG eligibility at the prevailing award amount if the student is enrolled in distance learning instruction as required by the institution due to on-going COVID-19 related concerns. Eligibility shall continue for such students provided that the student returns to place-based instruction as soon as it is available.
 2. New incoming students enrolled into a distance learning program of study shall not be eligible for TAG regardless of whether distance learning is the only option available due to on-going COVID-19 related concerns.
- C. **Updated August 10, 2020:** Special rule for place-based students enrolling fully on-line due to COVID-19.

Notwithstanding sections A and B above, for the 2020-21 award year, students enrolling into a campus-based (place-based) program of study who opt to enroll fully on-line due to a COVID-19 related concern may be awarded TAG, if otherwise meeting all eligibility criteria.